

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

MORGAN ENOCH VANDERGRIFT,)	
)	
Plaintiff,)	Civil Action No. 5:12cv00035
)	
v.)	
)	
GEORGE MASON UNIVERSITY, et. al. ,)	By: Michael F. Urbanski
)	United States District Judge
Defendants.)	

ORDER

By Order dated April 19, 2012, this matter was referred to the Honorable B. Waugh Crigler, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1), for proposed findings of fact and a recommended disposition. The Magistrate Judge held a hearing on July 3, 2012, and filed a report and recommendation on July 23, 2012, recommending that the motion to dismiss for improper venue (Dkt. # 7) be granted and that this case be dismissed without prejudice and stricken from the active docket of the court. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted in its entirety.

It is accordingly **ORDERED** and **ADJUDGED** that defendant's motion to dismiss for improper venue (Dkt. # 7) be **GRANTED** and that this matter is **DISMISSED without prejudice** to permit plaintiff to refile his case in the Eastern District of Virginia, should he so elect. It is further **ORDERED** that this matter is **STRICKEN** from the active docket of the court. The Clerk is directed to send a certified copy of this Order to plaintiff and to counsel of record.

Entered: August 9, 2012

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge